

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 974

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DEBBIE A. RODELLA

AN ACT

RELATING TO ELECTIONS; REQUIRING A COURT TO RENDER A DECISION
WITHIN TEN DAYS ON A PETITION FILED BY A CANDIDATE WHO WAS
DISQUALIFIED FROM THE BALLOT; AMENDING A SECTION OF THE PRIMARY
ELECTION LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 1-8-26 NMSA 1978 (being Laws 1975,
Chapter 295, Section 12, as amended) is amended to read:

"1-8-26. PRIMARY ELECTION LAW - ~~[DECLARATION OF CANDIDACY]~~
TIME OF FILING - ~~DOCUMENTS NECESSARY TO QUALIFY FOR BALLOT -~~
CHALLENGE. --

A. Declarations of candidacy by preprimary
convention designation for any statewide office or for the
office of United States representative and declarations of
candidacy for retention of a justice of the supreme court or

Underscored material = new
[bracketed material] = delete

Underscored material = new
[bracketed material] = delete

1 judge of the court of appeals shall be filed with the proper
2 filing officer on the second Tuesday in February of each
3 even-numbered year between the hours of 9:00 a.m. and 5:00 p.m.

4 B. Declarations of candidacy for any other office
5 and declarations of candidacy for retention for all affected
6 district judicial offices shall be filed with the proper filing
7 officer on the third Tuesday of March of each even-numbered year
8 between the hours of 9:00 a.m. and 5:00 p.m.

9 C. Certificates of designation shall be submitted to
10 the secretary of state on the first Tuesday following the
11 preprimary convention at which the candidate's designation took
12 place between the hours of 9:00 a.m. and 5:00 p.m.

13 D. No candidate's name shall be placed on the ballot
14 until the candidate has been notified in writing by the proper
15 filing officer that the declaration of candidacy, the petition
16 and the certificate of registration of the candidate on file are
17 in proper order and that the candidate, based on ~~[such]~~ those
18 documents, is qualified to have his name placed on the ballot.
19 The proper filing officer shall mail ~~[such]~~ the notice no later
20 than 5:00 p.m. on the Tuesday following the filing date.

21 E. If a candidate is notified by the proper filing
22 officer that he is not qualified to have his name appear on the
23 ballot, the candidate may challenge that decision by filing a
24 petition with the district court within ten days of the
25 notification. The district court shall hear and render a

1 decision on the matter within ten days after the petition is
2 filed."

3 - 3 -
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Underscored material = new
[bracketed material] = delete

State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 27, 1997

Mr. Speaker:

Your VOTERS AND ELECTIONS COMMITTEE, to whom has
been referred

HOUSE BILL 974

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Edward C. Sandoval, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HVEC/HB 974

Page 5

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Lujan, Nicely, Sanchez

Absent: None

M \H0974

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HVEC/HB 974

Page 6

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 8, 1997

Mr. President:

Your RULES COMMITTEE, to whom has been referred

HOUSE BILL 974

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Gloria Howes, Chairman

Adopted _____ Not Adopted _____

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HVEC/HB 974

Page 7

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Altamirano, Aragon, Campos

Absent: None

H0974RU1

Underscored material = new
[bracketed material] = delete